

AN ACT

relating to payment of costs related to the relocation of certain political subdivision utility facilities for state highway projects.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 203.092, Transportation Code, is amended by adding Subsections (a-4) and (e) to read as follows:

(a-4) Notwithstanding another provision of this section, a utility shall make a relocation of a utility facility required by improvement of the state highway system at the expense of this state if the commission determines that:

(1) the utility is a political subdivision or is owned or operated by a political subdivision;

(2) a financial condition would prevent the utility from being able to pay the cost of relocation in full or in part at the time of relocation or, if paid at that time, the payment would adversely affect the utility's ability to operate or provide essential services to its customers; and

(3) the utility:

(A) would not be able to receive a state infrastructure bank loan under Subchapter D, Chapter 222, to finance the cost of the relocation and is otherwise unable to finance that cost; or

(B) is a political subdivision or is owned or

1 operated by a political subdivision that:

2 (i) has a population of less than 5,000; and

3 (ii) is located in a county that has been
4 included in at least five disaster declarations made by the
5 president of the United States in the six-year period preceding the
6 proposed date of the relocation.

7 (e) The total amount paid by the department for the
8 relocation of utility facilities under Subsection (a-4) may not
9 exceed \$10 million in any fiscal year.

10 SECTION 2. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2019.

S.B. No. 1512

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1512 passed the Senate on April 16, 2019, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 1512 passed the House on May 14, 2019, by the following vote: Yeas 134, Nays 7, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor